

REMARKS/ARGUMENTS

Claims 1-70 are pending in the present application. In the Office Action mailed April 6, 2006, the Examiner rejected claims 1-70 under 35 U.S.C. § 103.

Claims 1, 15, 19, 20, 25, 41, 43, 53, 58, and 70 have been amended. Claims 14, 18, 34, 40, 52, and 57 have been cancelled.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

A. Rejection of Claims 1-69 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-69 under 35 U.S.C. § 103(a) based on U.S. Patent No. 6,891,838 to Petite et al. (hereinafter, "Petite") in view of U.S. Patent No. 6,236,332 to Conkright et al. (hereinafter, "Conkright"). This rejection is respectfully traversed.

The M.P.E.P. states that

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

Independent claim 1 has been amended to include the following limitations, “an outbound message queue for storing outbound messages being sent from the electronic device to the computer; and an inbound message queue for storing inbound messages being sent to the electronic device from the computer.” Support for these amendments may be found on page 3, lines 9-12 and lines 16-18 of Applicants’ application.

The Office Action asserts that the Petite reference teaches, “the memory comprises the inbound and outbound message queues.” *See* Office Action, page 8. Applicants respectfully disagree that Petite teaches, suggests, or discloses an outbound message queue for storing outbound messages or an inbound message queue for storing inbound messages. Instead, Petite teaches:

The local gateway 10 may be configured such that the memory 524 includes a look-up table 525 that may assist in identifying the various remote and intermediate RF communication devices used in generating and transmitting the received data transmission as illustrated in memory sectors 527 and 529 herein labeled, “Identify Remote Transceiver” and “Identify Intermediate Transceiver,” respectively.

Petite, Col. 17, lines 21-28.

Petite teaches that the memory includes a look-up table. Petite further discloses that the lookup table identifies RF transceivers. However, Petite does not teach, suggest, or disclose that the look-up table is an outbound message queue or an inbound message queue for storing messages sent from the electronic device or the computer. A lookup table that identifies transceivers does not suggest a message queue that stores messages.

Similarly, Petite teaches:

For example, a first data packet segment 450c may be provided to access a first lookup table to determine the identity of the RF transceiver 113, which transmitted the received message. A second code segment 450c (not shown) may be provided to access a second lookup table to determine the proximate location of the message generating RF transceiver 113, by identifying the RF transceiver 113 that relayed the message. A third code segment 450c (not shown) may be provided to identify the content of the message transmitted. Namely, is it a fire alarm, a security alarm, an emergency request by a person, a temperature control setting, etc.

Petite, Col. 17, lines 54-65.

In the above cited portion, Petite teaches that the lookup table is used to perform the following functions, “determine the identity of the RF transceiver...determine the proximate location of the...RF transceiver...by identifying the RF transceiver...[and] identify the content of the message.” Id. Determining identities of transceivers or identifying the content of a message does not teach or suggest an outbound message queue or an inbound message queue for storing messages as claimed by the Applicants. Petite teaches a lookup table that is used for “identifying” the transceivers. Petite does not teach that the lookup table is a message queue for storing messages.

Further teachings regarding the lookup table are disclosed by Petite. For example, Petite teaches:

For example, the memory 524 may include program code for controlling the operation of the CPU 522 to evaluate an incoming data packet to determine what action needs to be taken. In this regard, one or more look-up tables 525 may also be stored within the memory 524 to assist in this process.

Petite, Col. 17, lines 32-37.

Here, Petite teaches that the lookup tables are used to assist the CPU to “evaluate an incoming data packet to determine what action needs to be taken.” Evaluating incoming data packets does not teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages being sent from the electronic device or from the computer.

The Office Action has failed to identify where the cited references teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages. As previously explained, the lookup table disclosed by Petite is used to identify transceivers and evaluate incoming data packets. Identifying and evaluating does not teach or suggest that the lookup table is a message queue for storing messages.

In view of the foregoing, Applicants respectfully submit that claim 1 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn.

Claims 2-6, 8-13, 15-27, and 19-24 depend either directly or indirectly from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 2-6, 8-13, 15-27, and 19-24 be withdrawn for at least the same reasons as those presented above in connection with claim 1.

Regarding independent claim 25, this claim has been amended to include the limitations, “an outbound message queue for storing outbound messages being sent from the remote electronic device to the computer; and an inbound message queue for storing inbound messages being sent to the remote electronic device from the computer.” Support for these amendments may be found on page 3, lines 9-12 and lines 16-18 of Applicants’ application.

As discussed in relation to claim 1, the cited references do not teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages. In view of the foregoing discussion regarding claim 1, Applicants respectfully submit that claim 25 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 25 be withdrawn.

Claims 26-33, 35-39, and 41-42 depend either directly or indirectly from claim 25. Accordingly, Applicants respectfully request that the rejection of claims 26-33, 35-39, and 41-42 be withdrawn for at least the same reasons as those presented above in connection with claim 25.

Regarding independent claim 43, this claim has been amended to include the limitations, “an outbound message queue for storing outbound messages being sent from the plurality of remote electronic devices to the computer; and an inbound message queue for storing inbound messages being sent to the plurality of remote electronic devices from the computer.” Support for these amendments may be found on page 3, lines 9-12 and lines 16-18 of Applicants’ application.

As discussed in relation to claim 1, the cited references do not teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages. In view of the foregoing discussion regarding claim 1, Applicants respectfully submit that claim 43 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 43 be withdrawn.

Claims 44-51, 53-56, and 58 depend either directly or indirectly from claim 43. Accordingly, Applicants respectfully request that the rejection of claims 44-51, 53-56, and 58 be withdrawn for at least the same reasons as those presented above in connection with claim 43.

Similarly, claim 59 discloses an outbound message queue and an inbound message queue for storing messages. In view of the foregoing discussion regarding claim 1, Applicants respectfully submit that claim 59 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 59 be withdrawn.

Claims 60-69 depend either directly or indirectly from claim 59. Accordingly, Applicants respectfully request that the rejection of claims 60-69 be withdrawn for at least the same reasons as those presented above in connection with claim 59.

B. Rejection of Claim 70 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 70 under 35 U.S.C. § 103(a) based on Petite in view of U.S. Patent No. 6,229,846 to Lassig et al. (hereinafter, "Lassig"). This rejection is respectfully traversed.

The M.P.E.P. states that

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claim at issue is patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in this claim.

Independent claim 70 has been amended to include the following limitations, “an outbound message queue for storing outbound messages being sent from the electronic device to the computer; and an inbound message queue for storing inbound messages being sent to the electronic device from the computer.” Support for these amendments may be found on page 3, lines 9-12 and lines 16-18 of Applicants’ application.

The Office Action asserts that the Petite reference teaches, “the memory comprises the inbound and outbound message queues.” See Office Action, page 8. Applicants respectfully disagree that Petite teaches, suggests, or discloses an outbound message queue for storing outbound messages or an inbound message queue for storing inbound messages. Instead, Petite teaches:

The local gateway 10 may be configured such that the memory 524 includes a look-up table 525 that may assist in identifying the various remote and intermediate RF communication devices used in generating and transmitting the received data transmission as illustrated in memory sectors 527 and 529 herein labeled, “Identify Remote Transceiver” and “Identify Intermediate Transceiver,” respectively.

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Namely, is it a fire alarm, a security alarm, an emergency request by a person, a temperature control setting, etc.

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Petite, Col. 17, lines 32-37.

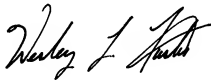
Here, Petite teaches that the lookup tables are used to assist the CPU to “evaluate an incoming data packet to determine what action needs to be taken.” Evaluating incoming data packets does not teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages being sent from the electronic device or from the computer. The Office Action has failed to identify where the cited references teach, suggest, or disclose an outbound message queue or an inbound message queue for storing messages. As previously explained, the lookup table disclosed by Petite is used to identify transceivers and evaluate incoming data packets. Identifying and evaluating does not teach or suggest that the lookup table is a message queue for storing messages.

In view of the foregoing, Applicants respectfully submit that claim 70 is patentably distinct from the cited references. Accordingly, Applicants respectfully request that the rejection of claim 70 be withdrawn.

C. Conclusion

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley L. Austin', with a stylized flourish at the end.

/Wesley L. Austin/

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